

REMARKS

I. Introduction

Claims 35-37 have been added. Claims 11, 13-21 and 23-37 are now pending in the present application. No new matter has been added. Reconsideration of the present application is requested.

As an initial matter, Applicants thank the Examiner for the telephone interview conducted on March 26, 2004. In this interview, the Examiner indicated that the Office Action dated February 17, 2004 should have been indicated to be a non-final action. Accordingly, the Examiner withdrew the February 17 Office Action and issued a non-final Office Action on April 7, 2004.

II. Rejection Of Claims 11, 13-21 and 23-34 Under 35 U.S.C. § 102

Claims 11, 13-21 and 23-34 were rejected under 35 U.S.C. § 102(b) as anticipated by U. S. Patent No. 6,301,513 to Divon et al. ("Divon et al."). Applicants respectfully submit that Divon et al. does not anticipate claims 11, 13-21 and 23-34 for at least the following reasons.

Claim 11 recites removably receiving **the chip card** from a user by the record/read unit. Divon et al. states that either a diskette-cassette or a cartridge in the form of a personal computer memory card industry association (PCMCIA) may be used. Col. 2, lines 3-10. This cartridge is depicted in Fig. 7, and described as "a plug in unit." Col. 11, line 25. Therefore, the cartridge of Divon et al. is not a "chip card," as recited in claim 11. As provided in Applicants' Specification, the present invention "has the advantage that an acoustic input of messages becomes possible by a simple expansion of previously existing capabilities for reading chip cards." Divon merely describes an approach where the audio source is integrated into the cassette adapter, rather than connected by plug-in contact. Therefore, this is an application specific approach. The chip card of the present invention, however, may be a universal storage card that may be used for a plurality of applications.

Furthermore, claim 11 recites digitizing the inputted message via a voice digitization module. In contrast, the audio system of Divon et al. does not disclose, or even suggest, digitizing the inputted message via a voice digitization module. For example, Divon et al. states, that the audio system includes, "a digital vocalizer...the vocalizer converts data stored on the digital storage unit to audio signals." Abstract. Divon et al. also states that the audio systems capabilities to receive and play back data that is *already in digital form when received* (Col. 1, lines 49-53; col. 11, lines 13 - col. 12, line 3), however receiving digital data does not disclose, or even suggest, ***digitizing the inputted message via a voice digitization module***, as recited in claim 11. Claims 21, 28, and 31 all recite this same feature of claim 11.

For at least the above-mentioned reasons, Divon et al. do not anticipate or render obvious claims 11, 21, 28, or 31. As for claims 13-20, which depend from claim 11 and therefore include all of the features of claim 11, claims 23-27 and 34, which depend from claim 21 and therefore include all of the features of claim 21, claims 29-30, which depend from claim 30 and therefore include all of the features of claim 30, and claims 32-33, which depend from claim 31 and therefore include all of the features of claim 31, it is respectfully submitted that these claims are not anticipated or rendered obvious by Divon et al. for at least the reasons given above in support of the patentability of claims 11, 21, 28, and 31.

Further regarding claims 21 and 28, the Office action states, "it is inherent that a voice digitization module would be provided as the voice audio is disclosed as being digital data," however it is submitted that voice digitization module of claim 21 and 28 ***converts acoustic messages into digital data***, therefore, a system that merely receives digital data would not inherently provide for a module that converts acoustic messages into digital data. Merely receiving digital data does not disclose, or even suggest, converting acoustic messages into digital data.

In view of at least the foregoing, it is respectfully requested that the rejection of claims 11, 13-21 and 23-34 under 35 U.S.C. § 102(b) over Divon et al. be withdrawn.

III. Rejection Of Claim 20 Under 35 U.S.C. § 103

Claim 20 was rejected under 35 U.S.C. § 103(a) as unpatentable over Divon et al. Applicants respectfully submit that claim 20 is patentable over Divon et al. for at least the following reasons.

Claim 20 depends from claim 11, which as explained above includes several features not disclosed, or even suggested, by Divon et al, such as removably receiving the chip card from a user by the record/read unit and digitizing the inputted message via a voice digitization module, as recited in claim 11. Therefore, Divon et al. does not render obvious claim 11, or claim 20. Therefore, it is respectfully requested that this rejection of claim 20 35 U.S.C. § 103(a) be withdrawn.


IV. Claims 35-37

Claims 35-37 have been added to recite further features of the present invention. No new matter has been added. In particular, claims 35-37 recited that the voice digitization module is an integral part of the automobile radio device.

V. Conclusion

In light of the foregoing, it is respectfully submitted that all pending claims are in condition for allowance. Prompt reconsideration and allowance of the present application are therefore earnestly solicited.

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